

HOUSE _____ AMENDMENT NO. _____

Offered By _____

AMEND House Committee Substitute for House Bill No. 1516, Section 208.909, Page 59, Line 37 by inserting after all of said line the following:

“210.305. 1. If emergency placement of a child in a private home is deemed necessary, the children's division shall make diligent efforts to contact and place the child with a grandparent or grandparents of the child, except when the children's division determines that placement with a grandparent or grandparents is not in the best interest of the child. Such an emergency placement with a grandparent or grandparents shall be subject to the provisions of section 210.482 regarding background checks for emergency placements.

2. For purposes of this section, the following terms shall mean:

(1) "Diligent efforts", a good faith attempt by the children's division, which exercises reasonable efforts and care to utilize all available services and resources related to meeting the ongoing health and safety needs of the child, to locate a grandparent or grandparents of the child after all of the child's physical health needs have been attended to by the children's division;

(2) "Emergency placement", those limited instances when the children's division is placing a child in the home of private individuals, including neighbors, friends, or relatives, as a result of a sudden unavailability of the child's primary caretaker.

3. Diligent efforts shall be made, if possible, to contact the grandparent or grandparents of the child within three hours from the time the emergency placement is deemed necessary for the child. If a grandparent or grandparents of the child cannot be located within the three-hour period, the child may be placed in a foster home; except that, during the initial twenty-four-hour period after the emergency placement is deemed necessary, the children's division shall continue to make

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1 diligent efforts to locate and place the child with a grandparent or grandparents.

2 210.565. 1. Whenever a child is placed in a foster home and the court has determined
3 pursuant to subsection 3 of this section that foster home placement with relatives is not contrary to
4 the best interest of the child, the children's division shall give foster home placement to relatives
5 of the child. Notwithstanding any rule of the division to the contrary, the children's division shall
6 make diligent efforts to locate the grandparents of the child and determine whether they wish to be
7 considered for placement of the child. Grandparents who request consideration shall be given
8 preference and first consideration for foster home placement of the child.

9 2. As used in this section, the term "relative" means a grandparent or any other person
10 related to another by blood or affinity within the third degree. The status of a grandparent shall
11 not be affected by the death or the dissolution of the marriage of a son or daughter.

12 3. The preference for placement with grandparents or other relatives created by this
13 section shall only apply where the court finds that placement with such grandparents or other
14 relatives is not contrary to the best interest of the child considering all circumstances. If the court
15 finds that it is contrary to the best interest of a child to be placed with grandparents or other
16 relatives, the court shall make specific findings on the record detailing the reasons why the best
17 interests of the child necessitate placement of the child with persons other than grandparents or
18 other relatives.

19 4. The age of the child's grandparent or other relative shall not be the only factor that the
20 children's division takes into consideration when it makes placement decisions and
21 recommendations to the court about placing the child with such grandparent or other relative.

22 5. For any Native American child placed in protective custody, the children's division
23 shall comply with the placement requirements set forth in 25 U.S.C. Section 1915.”; and

24
25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.

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